THE HONOURABLE SRI JUSTICE

A.GOPAL REDDY

W.P.No.6060 of 2006

Dt.21-04-2006

Between:

Mogul Alla Bakshi

..Petitioner

and

1. Dy.Registrar of Coop. Societies,
   O/o Divl. Coop. Office, Governorpet,
   Vijayawada and others.

..Respondents.

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Oral Order:

Heard the learned counsel for the petitioner and also Sri D.V.Bhadram for respondents 2 and 3 and Government Pleader for Cooperation for respondents 1 and 4.

Petitioner borrowed an amount of Rs.2,50,000/- for construction of house from the 3rd respondent—Bank repayable with interest in 36 monthly instalments. Since there

is a default in repayment of loan amount the Bank initiated proceedings for recovery of the amount and accordingly the 1st respondent passed ex-parte award decreeing the claim. After passing the award it is stated that the petitioner has deposited an amount of Rs.88,000/- and questioning the award he filed O.A.No.18 of 2006 before the Cooperative Tribunal and in which M.A.No.7 of 2006 was filed for staying the decree of award. The learned Tribunal stayed the award on condition of the petitioner depositing 50% of the awarded amount. Since the amount of Rs.88,000/- paid by him after the award has not been given credit petitioner filed the present writ petition.

Learned counsel for the respondents 2 and 3 has no objection for giving credit to the amount, if any, deposited after the award being passed pursuant to interim order passed by the Tribunal.

In view of the same, petitioner shall deposit 50% of the balance of the award amount after giving credit to the amounts, if any, paid pursuant to the interim orders.

The writ petition is accordingly disposed of. No costs.

_____ A.GOPAL REDDY, J.

21-04-2006

Murthy